

TITLE 8 DEVELOPMENT CODE

DIVISION 12: GENERAL DEFINITIONS

CHAPTER 19: Definitions beginning with S.

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812.19005 Schools, Elementary and High

"Elementary and High Schools": Institutions of learning which offer instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the State of California. High schools include Junior and Senior.

Readopted Ordinance 3341 (1989)

812.19010 Screening

"Screening": The use of landscaping, earth, fences, walls, trees, shrubs, or other materials for visual, background, noise or sun exposure control.

Readopted Ordinance 3341 (1989)

812.19015 Scrap Metal Processing Facility

"Scrap Metal Processing Facility": Any establishment or place of business which is maintained, used, or operated solely for the processing and preparing of scrap metals for remelting by steel mills and foundries.

Readopted Ordinance 3341 (1989)

812.19020 Section

(a) "Section": A section of the County Code, unless in reference to some other statute, ordinance, chapter, division or title which is specified. County Code section numbers are established as follows: the first digit refers to the Title, the second digit refers to the Division, then a decimal point, the next two digits refers to the chapter, the next two digits refer to the article (if any), all subsequent digits are unique and refer to an individual section. (eg. this Section 812.19020 refers to Title 8, Division 12, Chapter 19, and 020 is the unique individual section number). Further subdivisions of a County Code Section are identified by the following hierarchial outline of parenthetically enclosed symbols:

(a) First Level — lower case letters or double lower case letters if more than 26 entries [eg. (aa)]

(1) Second Level — lower case numbers

(A) Third level — uppercase letters or double upper case letters if more than 26 entries [eg. (AA)]

(I) Fourth level — upper case Roman Numerals

(i) Fifth level — lower case Roman Numerals

(b) "Section" may also refer to the survey term regarding the subdivision of a Township into normally thirty-six (36) equal parts, each of which is approximately six-hundred forty (640) acres.

Readopted Ordinance 3341 (1989)

812.19025 Security Quarters

"Security Quarters": Temporary residential occupancy of a dwelling unit, commercial coach, or travel trailer utilized to provide temporary quarters to security personnel hired to guard part or all of the property on which the security quarters are located as an accessory use. Security quarters are always temporary uses and not always in a dwelling unit, whereas Caretaker Housing is always in a permanent dwelling unit. Both such uses are subject to appropriate County permits.

Readopted Ordinance 3341 (1989)

812.19030 Sediment

"Sediment": Eroded earth material that is carried by run-off and/or deposited in a stream, drainage course, natural water course, lake or other area.

Readopted Ordinance 3341 (1989)

812.19035 Seismic Safety Hazard Areas

"Seismic Safety Hazard Areas": Areas where a potential hazard exists due to ground rupture from earthquakes. Seismic safety hazard areas encompass active or potentially active faults within the County (includes Alquist-Priolo Special Studies Zones). Hazard area boundaries extend approximately six hundred sixty (660) feet on each side of known active or potentially active faults.

Readopted Ordinance 3341 (1989)

812.19040 Service Station

"Service Station": Any building, structure, premises or other place used primarily for the retail sale and dispensing of motor fuels or oils, the retail sale of lubricants, tires, batteries and other automobile accessories, and the installation and servicing of such lubricants, tires, batteries and other automobile accessories.

Readopted Ordinance 3341 (1989)

812.19045 Setback, Street

"Street Setback": See "Yard, Front" and "Yard, Side Street".

Readopted Ordinance 3341 (1989)

812.19050 Setback Line, Street

"Setback Line, Street": A line which defines the depth of the required street setback, front yard, or side yard or side street where said yard or yards abut a street. Said street setback line shall be parallel or concentric with the street right-of-way line.

Readopted Ordinance 3341 (1989)

812.19055 Sewage Disposal Area

"Sewage Disposal Area": An area utilized for the holding, leaching and percolation of sewage wastes including an area that would provide a one hundred percent (100%) expansion of such a leaching and percolation field for future use.

Readopted Ordinance 3341 (1989)

812.19060 Sexual Activities, Specified

"Specified Sexual Activities": Include all the following:

- (a) The fondling or other erotic touching of the following human anatomical areas: genitals, pubic regions, buttocks, anuses or female breasts;
- (b) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
- (c) Masturbation, actual or simulated; or
- (d) Excretory functions as part of or in connection with any of the activities set forth in (a) through (c) above.

Readopted Ordinance 3341 (1989)

812.19065 Shall

"Shall": A mandatory provision, regulation or specification.

Readopted Ordinance 3341 (1989)

812.19070 Shopping Center

"Shopping Center": A shopping center is two (2) or more business establishments under a single ownership, unified control or designated as a unit located on a single parcel or combination of contiguous parcels having a minimum frontage of one hundred fifty (150) feet.

Readopted Ordinance 3341 (1989)

812.19075 Shrub

"Shrub": Any woody, perennial plant having multiple stems and bearing foliage from the ground up, commonly maintained at less than eight (8) and more than two (2) feet in height when fully grown, adaptable to trimming, shaping and pruning without injury to the plant itself.

Readopted Ordinance 3341 (1989)

812.19080 Sign

"Sign": Any words, letters, numerals, emblems, designs, or other marks shown on any flag, card, cloth, paper, metal, painted surface, glass, wood, plaster, stone or other device of any kind or character by which anything is made known and used to attract attention. Signs are subdivided into four (4) basic categories, (i.e., primary, accessory, directional and temporary) and may take many forms (e.g. freestanding, monument, wall, roof, projecting walkway, display, etc.) Also signs are located individually or in clusters (e.g., shopping center complex). The following definitions clarify the differences between these categories and types:

(a) "Primary Sign". A sign which is allowed only in certain specified land use districts as an independent use of the property not dependent upon the location of another structure or use. Such signs often advertise or identify a business, function, establishment or product at a location other than the property on which such business is located or such product is manufactured or sold. Such signs may advertise political viewpoints, political campaigns and other noncommercial messages.

(b) "Accessory Sign". A sign which is allowed only in conjunction with another use as an accessory use. Such signs often advertise or identify a commodity, service, business or profession which is sold, produced, conducted or

offered as one (1) of the major functions of the primary use on the same site. Such signs may advertise political viewpoints, political campaigns and other noncommercial messages. Such signs may also advertise any commercial message.

(c) "Directional Signs". Signs which provide directional or traffic flow information.

(1) "Public Directional Signs". Signs containing directional information about public places owned or operated by Federal, State or local governments or their agencies. Also included are historic, cultural, scientific and educational signs, signs relating to publicly owned natural phenomena, publicly owned or operated areas of natural scenic beauty, and areas naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.

(d) "Temporary Signs". Signs which provide temporary information and/or directions; such signs often are subject to the issuance of a Temporary Use Permit and often provide information regarding residential developments, political candidates or issues and real estate signs.

(e) "Free-Standing Signs". A single or multifaced sign that is not attached to any building or structure. Said sign may be located no closer than one (1) foot from any interior property line and from the ultimate right-of-way of any street or highway adjoining the lot on which the sign is located. Provided, however, that when a free-standing sign is within a front or street side yard setback, the sign shall be constructed in such a manner so as to provide an open space of at least eight (8) feet in height from grade.

(f) "Monument Signs". A single-or double-faced sign which is designed and constructed as part of and placed on a monument base. Monument signs shall be positioned so that the sign will not interfere with a driver's line of sight and shall be no closer than one (1) foot away from the ultimate right-of-way line and shall have a height no greater than that allowed for a wall or fence, unless otherwise specified in an applicable land use district.

(g) "Wall Signs". Single-faced signs which are in any manner affixed to any exterior wall of a building or structure, the exposed face of which is in a plane parallel to the plane of the wall and which projects not more than eighteen (18) inches from the building or structure wall.

(h) "Roof Signs". Single-faced signs which are affixed to any roof of a building or structure. Roof signs shall not project above any ridge line or top of the parapet, whichever is greater, or project beyond the end of the building wall or edge of the roof.

(i) "Projecting Signs". Single- or double-faced signs attached to a building which extend in a perpendicular plane from the wall to which they are attached. Projecting signs shall maintain a clearance of eight (8) feet from any underlying walkway or thoroughfare.

(j) "Pedestrian Walkway Signs". An accessory sign hung from or on a canopy and being oriented to pedestrian traffic.

(k) "Display Signs". Accessory single-faced signs which are affixed to any type of display window or are adjacent to a display window. Display signs shall not exceed twenty-five percent (25%) of the window area on which the sign is placed.

(l) "Complex Signs". Accessory signs which are allowed in conjunction with a shopping center, business or other complex which is under a single ownership or unified control having two (2) or more establishments located on a single parcel or combination of contiguous parcels. A complex shall have a minimum street frontage of one hundred fifty (150) feet.

(m) "Complex Occupant Signs". Accessory signs which are allowed in conjunction with individual occupants within a shopping center, business or other complex. The complex occupant sign accessory use type shall also include the use of one five (5) square foot pedestrian walkway sign for each occupant within the complex in addition to other sign configurations and sign area permitted by the land use district.

(n) "Individual Signs" or "Accessory Business Signs". Accessory signs which are allowed in conjunction with a nonresidential use not located within a complex (e.g., shopping center).

Readopted Ordinance 3341 (1989)

812.19085 Singular-Plural

"Singular-Plural": Words used in the singular number include the plural and words used in the plural number include the singular.

Readopted Ordinance 3341 (1989)

812.19090 Site

"Site": A parcel of land or contiguous parcels where land alterations, including grading, clearing or construction are performed or proposed.

Readopted Ordinance 3341 (1989)

812.19093 Site Plan, Detailed

"Detailed Site Plan": A drawing, to scale, on one sheet of paper of the entire land parcel showing buildings, improvements, other physical features and all dimensions.

Adopted Ordinance 3374 (1990)

812.19095 Site Planning

"Site Planning": A process to develop a plan that shows how a parcel of land may be developed, taking into consideration the natural and man-made characteristics of the parcel.

Readopted Ordinance 3341 (1989)

812.19105 Social Care Facility

"Social Care Facility": Any facility in the general classification of boarding home for aged persons, boarding home for children, day care home for children, day nursery, nursing home or parent-child boarding home. These facilities consist of a building or group of buildings used or designed for the housing of sick, demented, injured, convalescent, infirm, or well, normal healthy persons, requiring licensing or certification by regulating government agencies. This definition shall not include use of a part of any single or multiple dwelling, hotel, apartment, or motel not ordinarily intended to be occupied by said persons unless so licensed or certified by the governmental agency concerned with the administration of each specific classification.

Readopted Ordinance 3341 (1989)

812.19110 Soil

"Soil": The unconsolidated mineral and organic material on the immediate surface of the earth.

Readopted Ordinance 3341 (1989)

812.19115 Solar Energy System

"Solar Energy System": Any solar collector solar device, or structural design feature of a building whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating or cooling; for domestic, recreational, therapeutic, or service water heating; for the generation of electricity; for the production of process heat; and for the production of mechanical work. The term "Solar Energy System" shall include, but is not limited to, passive thermal systems, semipassive thermal systems, active thermal systems and photovoltaic systems. This category does not include parabolic mirror and devices of a similar nature.

Readopted Ordinance 3341 (1989)

812.19120 Solid Wastes

"Solid Wastes": Any variety of waste, including household garbage, metal, glass, shattered concrete, bricks from demolished houses, radioactive wastes and mining talus.

Readopted Ordinance 3341 (1989)

812.19122 Special Events,

"Special Events, Temporary": Include all carnivals, community celebrations, off-road vehicle races, outdoor festivals, music events, sporting events, parades, fairs, animal races, religious festivals, revival meetings and similar public gatherings at locations and facilities without an approved Conditional Use Permit, Department Review, or Land Use Review, except as provided in Section 84.0805, for such public gatherings. Such events shall be categorized based upon scope, longevity, magnitude and use, into one of the following event types.

(a) Minor Event:

(1) Class I: Anticipated attendance of five hundred (500) to one thousand (1,000) persons per day; or a community celebration, religious festivals, revival meetings and similar public gatherings with anticipated attendance of five hundred (500) or more.

(2) Class II: Intensive sporting events, such as off-road vehicle races or rodeos, etc., and music events with an anticipated attendance of two hundred (200) to five hundred (500) persons per day. Included in this class are any such events that are advertised by a means of mass media (i.e., radio, television, newspaper, Internet, phone trees, fliers, etc.) provided that a means of limiting attendees to five hundred (500) persons per day is available and is strictly enforced.

(b) Major Event:

(1) Class I: Anticipated attendance of over one thousand (1,000) persons per day.

(2) Class II: Intensive sporting events, such as off-road vehicle races or rodeos, etc., or music events with an anticipated attendance of over five hundred (500) persons per day. Included in this class are any such events that are advertised by a means of mass media (i.e., radio, television, newspaper, Internet, phone trees, fliers, etc.) where a means of limiting attendees is not available.

Adopted Ordinance 3654 (1996); Amended Ordinance 3823 (2001)

812.19125 Special District

"Special District": A governmental entity created in a given area to provide services within that area. Special Districts can provide services such as water, sewers, fire protection, and parks and recreation.

Readopted Ordinance 3341 (1989)

812.19130 Stable, Private

"Private Stable": A detached accessory building for the keeping of horses, burros or mules owned by the occupants of the premises and not for remuneration, hire or sale.

Readopted Ordinance 3341 (1989)

812.19135 Stable, Public

"Public Stable": A stable other than a private stable for keeping of horses, burros or mules.

Readopted Ordinance 3341 (1989)

812.19140 State Geologist

"State Geologist": Individual holding office as provided in the California Public Resources Code, Section 677, Article 3, Chapter 2, Division 1.

Readopted Ordinance 3341 (1989)

812.19145 Stock Cooperative

"Stock Cooperative": A common interest development in which a corporation is formed or availed of primarily for the purpose of holding title to, either in fee simple or for a term of years, improved real property, and all or substantially all of the shareholders of the corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation. The owner's interest in the corporation, whether evidenced by a share of stock, a certificate of membership, or otherwise, shall be deemed to be an interest in a common interest development and a real estate development for purposes of Subdivision (f), Section 25100 of the California Corporations Code. In a stock cooperative, both the separate interest, as defined in paragraph (4) of Subdivision (l) of Section 1351 of Title 6 of Part 4 of Division 2 of the California Civil Code, and the correlative interest in the stock cooperative corporation, however designated, are interests in real property.

A "stock cooperative" includes a limited equity housing cooperative which is a stock cooperative that meets the criteria of Section 33007.5 of the California Health and Safety Code.

Readopted Ordinance 3341 (1989)

812.19150 Story

"Story": That portion of a building included between the surface of any floor and the surface of the floor immediately above it, or, if there is no floor above it, then the space between such floor and ceiling immediately above it.

Readopted Ordinance 3341 (1989)

812.19155 Story, Half

"Half Story": A story with at least two (2) of its opposite sides meeting a sloping roof, nor more than two (2) feet above the floor of such story.

Readopted Ordinance 3341 (1989)

812.19160 Stream

"Stream": Any watercourse designated by a solid line or dash and three (3) dots symbol on the largest scale of the United States Geological Survey map most recently published, or as indicated in the development permit when it has been field determined that a watercourse either:

- (a) Supports fish at any time of the year; or
- (b) Has a significant water flow after any rainstorm; or
- (c) Has a well-defined channel.

Readopted Ordinance 3341 (1989)

812.19165 Street

"Street": Any public or private thoroughfare with a width of twenty (20) feet or more, which affords a primary means of access to abutting property.

Readopted Ordinance 3341 (1989)

812.19170 Street Line

"Street Line": The boundary line between a street and abutting property.

Readopted Ordinance 3341 (1989)

812.19175 Structural Alterations

"Structural Alterations": Any change in the supporting members of a structure, such as the bearing walls or partitions, columns, beams or girders.

Readopted Ordinance 3341 (1989)

812.19180 Structure

"Structure": Anything constructed, built, or installed by man, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, including, but without limitation; buildings, towers, smokestack, and overhead lines.

Readopted Ordinance 3341 (1989)

812.19185 Structure, Approved

"Approved Structure": A structure, paved area of impervious substance or sewage disposal area which has been approved by the Department of Architecture, Building and Engineering, the County Fire Department or the Division of Environmental Health Services as an improvement of the site, and which complies with all codes, ordinances and regulations of San Bernardino County.

Readopted Ordinance 3341 (1989); Amended Ordinance 3611 (1995)

812.19190 Structure, Business or Industrial

"Business or Industrial Structure:" An occupied, permanent building, attached to a permanent foundation, approved for such use under the Uniform Building Code, where one (1) or more persons are employed on an eight (8) hour shift, at least five (5) days per week.

Readopted Ordinance 3341 (1989)

812.19195 Structure Height

"Structure Height": The altitude, measured in feet, of a structure from a line perpendicular to the base of the structure at ground level to the apex of the structure. This applies to those structures described in 87.0405(c). For all other buildings see "Building Height".

Readopted Ordinance 3341 (1989); Amended Ordinance 3374 (1990)

812.19200 Subdivider

"Subdivider": A person, firm, corporation, partnership or association who proposes to divide, divides or causes to be divided real property into a subdivision for himself or for others except that employees and consultants of such persons or entities, acting in such capacity, are not "subdividers."

Readopted Ordinance 3341 (1989)

812.19205 Subdivision

"Subdivision": The division, by any subdivider, of any unit or units of improved or unimproved land, or any portion of land thereof, shown on the latest equalized County assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future, except for leases of agricultural land for agricultural purposes. Property shall be considered as contiguous units even if it separated by roads, streets, utility easement or railroad rights-of-way. "Subdivision" includes a condominium project, as defined in Section 1350 of the Civil Code, or a community apartment project, as defined in Section 11004 of the California Business and Professions Code or the conversion of five (5) or more existing dwelling units to a stock cooperative, as defined in Section 11003.2 of the California Business and Professions Code. Any conveyance of land to or from a governmental agency, public entity,

public utility, common carrier or subsidiary of a public utility for conveyance to such public utility for rights-of-way shall not be considered a division of land for the purpose of computing the number of parcels. As used in this section, "agricultural purposes" means the cultivation of food or fiber or the grazing or pasturing of livestock.

Readopted Ordinance 3341 (1989); Amended Ordinance 3427 (1990)

812.19210 Subsidence

"Subsidence": The sinking of the earth's surface, usually due to mining, groundwater extraction, oil and gas withdrawal, earthquakes or other physical forces.

Readopted Ordinance 3341 (1989)

812.19215 Substandard Lot

"Substandard Lot": A unit of land, the area, width or other characteristic which fails to meet the requirements of the land use district in which it is located.

Readopted Ordinance 3341 (1989)

812.19220 Substandard Housing Unit

"Substandard Housing Unit": A dwelling unit which is either dilapidated or unsafe, thus endangering the health or safety of the occupant, or does not have adequate plumbing or heating facilities.

Readopted Ordinance 3341 (1989)

812.19225 Surface Mining Operations

"Surface Mining Operations": All, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. Surface mining operations include, but are not limited to, in place distillation or retorting or leaching, the production and disposal of mining waste, prospecting and exploratory activities, borrow pitting, streambed skimming, and segregation and stockpiling of mined materials (and recovery of same). The following definitions shall further clarify mining issues:

(a) "Area of Regional Significance". An area designated by the State Mining and Geology Board which is known to contain a deposit of minerals, the extraction of which is judged to be of prime importance in meeting future needs for minerals in a particular region of the State within which the minerals are located and which, if prematurely developed for alternate incompatible land uses, could result in the permanent loss of minerals that are of more than local significance.

(b) "Area of Statewide Significance". An area designated by the Board which is known to contain a deposit of minerals, the extraction of which is judged to be of prime importance in meeting future needs for minerals in the State and which, if prematurely developed for alternate incompatible land uses, could result in the permanent loss of minerals that are of more than local or regional significance.

(c) "Borrow Pits". Excavations created by the surface mining of rock, unconsolidated geologic deposits or soil to provide material (borrow) for fill elsewhere.

(d) "Compatible Land Uses". Land uses inherently compatible with mining and/or that require a minimum public or private investment in structures, land improvements, and which may allow mining because of the relative economic value of the land and its improvements. Examples of such uses may include, but shall not be limited to, very low density residential, geographically extensive but low impact industrial, recreational, agricultural, silvicultural, grazing, and open space.

(e) "Haul Road". A road along which material is transported from the area of excavation to the processing plant or stockpile area of the surface mining operation.

(f) "Idle". Surface mining operations curtailed for a period of one year or more, by more than 90 percent of the operation's previous maximum annual mineral production, with the intent to resume those surface mining operations at a future date.

(g) "Incompatible Land Uses". Land uses inherently incompatible with mining and/or that require public or private investment in structures, land improvements, and landscaping and that may prevent mining because of the greater economic value of the land and its improvements. Examples of such uses may include, but shall not be limited to, high density residential, low density residential with high unit value, public facilities, geographically limited but impact intensive industrial, and commercial.

(h) "Mined Lands". The surface, subsurface, and ground water of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any such area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from, or are used in, surface mining operations are located.

(i) "Minerals". Any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to, coal, peat, and bituminous rock, but excluding geothermal resources, natural gas, and petroleum.

(j) "Operator". Any person who is engaged in surface mining operations, or who contracts with others to conduct operations on his/her behalf, except a person who is engaged in surface mining operations as an employee with wages as his/her sole compensation.

(k) "Reclamation". The combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization, or other measures.

(l) "Stream Bed Skimming". Excavation of sand and gravel from stream bed deposits above the mean summer water level or stream bottom, whichever is higher.

Readopted Ordinance 3341 (1989); Amended Ordinance 3759 (1999)